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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CHRIS MCALARY

Appellant(s)

Vs.

CASH CLOUD INC; & OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS

Appellee(s)

Case No.: 2:23-cv-01424-GMN
Appeals Reference No.: 23-19

(Consolidated With)

Case No. 2:23-cv-01427-GMN
Appeals Reference No.: 23-20

Case No. BK-23-10423-mkn
Chapter 11

CHRIS MCALARY

Appellant(s)

vs.

CASH CLOUD INC; & OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS

Appellee(s)

**STIPULATION AND PROPOSED
ORDER REGARDING RESPONSE
DEADLINE IN CONNECTION WITH
MOTION FOR CERTIFICATION OF
APPEALS TO THE UNITED STATES
COURT OF APPEALS FOR NINTH
CIRCUIT [FED. R. BANKR. PROC.
8006]**

Cash Cloud, Inc. (“Cash Cloud”), by and through its counsel Fox Rothschild LLP, and the Official Committee of Unsecured Creditors (the “Committee” and, together with Cash Cloud, the “Appellees”), by and through its counsel Seward & Kissel LLP, and Chris McAlary (“Appellant” and, together with Appellees, the “Parties”), by and through his counsel Carlyon Cica Chtd., stipulate and agree as follows (the “Stipulation”):

RECITALS

A. WHEREAS, on October 20, 2023, Appellant filed the *Motion for Certification of Appeals to the United States Court of Appeals for Ninth Circuit [Fed. R. Bankr. Proc. 8006]* [ECF No. 07] (the “Motion for Certification”);

B. WHEREAS, Appellees did not receive ECF service of the Motion for Certification, and assert that they received their first notice of the Motion on October 26, 2023;

C. WHEREAS, under Fed. R. Bankr. P. 8006(f)(3), Appellees may file a response within 14 days after the Motion for Certification was served, and no other pleadings are to be filed in connection with such a request; and

D. WHEREAS, Appellees have requested, and Appellant agrees, that Appellees have until November 9, 2023, to file any response to the Motion for Certification.

NOW, THEREFORE, IT IS STIPULATED AND AGREED that:

1. The deadline for Appellees to file a response to the Motion for Certification is November 9, 2023.

2. Following the filing of any response to the Motion for Certification (or the expiration of the November 9, 2023, deadline) the Motion for Certification shall be submitted for decision by the Court.

[Signatures to follow on the next page]

Dated this 31st day of October 2023.

FOX ROTHSCHILD LLP

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and

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Unsecured Creditors*

ORDER

IT IS SO ORDERED:


UNITED STATES DISTRICT COURT JUDGE

DATED: October 31, 2023